



TOWN OF NEW WINDSOR

ZONING BOARD OF APPEALS

Regular Session

Date: JANUARY 22, 2007

AGENDA

7:30 p.m. – Roll Call

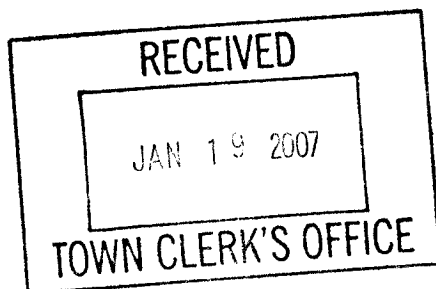
Motion to accept minutes of JANUARY 8, 2007 meeting(s) as written.

PRELIMINARY MEETINGS:

1. JERRY'S SELF-STORAGE (SABINI) (07-03) Request for:

2.31 acres Gross Minimum Lot Area
0.31 acres Net Minimum Lot Area
9 ft. Minimum Lot Width
26 Parking Spaces

for an addition to existing Self-Storage Units at Toleman Road and Rt.
207 in an OLI Zone (29-1-92.2)



January 22, 2007

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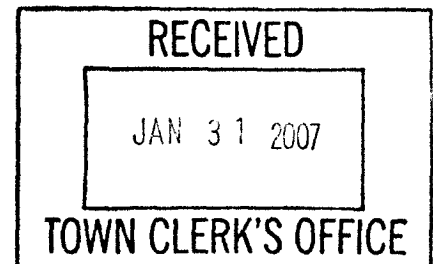
TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
JANUARY 22, 2007

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN
KIMBERLY GANN
KATHLEEN LOCEY
ERIC LUNDSTROM

ALSO PRESENT: MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
ZONING BOARD ATTORNEY

MYRA MASON
ZONING BOARD SECRETARY



ABSENT: PAT TORPEY

REGULAR MEETING

MR. KANE: I'd like to call to order the January 22, 2007 meeting of the New Windsor Zoning Board of Appeals.

APPROVAL OF MINUTES DATED JANUARY 8, 2007

MR. KANE: Motion to accept the minutes of January 8, 2007 as written.

MR. LUNDSTROM: So moved.

January 22, 2007

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MS. LOCEY: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. KANE	AYE

PRELIMINARY_MEETINGS:

JERRY'S_SELF-STORAGE_(SABINI)_(07-03)

Mr. Gerald Zimmerman and Mr. Jerry Sabini appeared before the board for this proposal.

MR. KANE: Request for 2.31 acre gross minimum lot area .31 acre net minimum lot area, 9 foot minimum lot width, 26 parking spaces for addition to existing self-storage units at Toleman Road and Route 207 in an OLI zone. Evening, sir, just state your name and speak clearly for this young lady over here.

MR. ZIMMERMAN: My name is Gerry Zimmerman, Zimmerman Engineering and I represent the applicant for tonight's meeting.

MR. BABCOCK: Mr. Chairman, can I just correct the agenda here for the record? The agenda says for an addition to the existing self-storage, there is no self-storage unit here now, this is a new building, stands by its on.

MS. MASON: I thought it was part of the one that's already there.

MR. BABCOCK: No, this is a separate lot.

MR. KANE: So we'll just go for self-storage units, cross out an addition to existing.

(Whereupon, Ms. Gann entered the room.)

MS. ZIMMERMAN: What the applicant is proposing is to construct a single building for self-storage, building will be proposed to be four stories in height for a total of 64,000 square feet of storage area. The proposal is to construct this building on an existing lot which is in the OLI district and the district does

permit self-storage units. The location of the site as you previously read is on Toleman Road, the intersection with Route 207 and this location in this area there already exists a self, a complex, self-storage units which you can see on the first sheet of the plan, I guess called Stowaway Self-Storage.

MR. KANE: So this isn't involved with them at all?

MS. ZIMMERMAN: It's not involved with them at all, it's only for information and identification purposes. So we have been before the planning board and they have reviewed this application and because the lot area is deficient in its size that's one of the variances that we're looking to have the board grant for this use. The zoning requires a gross lot area of five acres and this site is approximately 2.7 acres and also the net lot area which is 3 acres requirement we're proposing 2 1/2 acres so that's two of the variances that we're looking to get. There's another variance required for lot width and there the zoning requires 200 feet, this lot is slightly shorter than that, I believe it's 192 feet, this condition was not a self-created situation, when the property was subdivided, that was the lot area, the lot width that was provided so we have no control over that. And the last variance that we're looking for is for on-site parking and the zoning requires for 375 units which is proposed on this, site requires 38 parking spaces and we're proposing 12 parking spaces. So if I can speak to each of those issues perhaps I will start with the parking. Historically, this type of use self-storage units pretty much requires minimal parking. For example, the property next door which has a similar use only has I believe like 10 parking spaces and--

MR. SABINI: There's 422 units there, I used to own that complex, I built it and I sold it five years ago.

MS. ZIMMERMAN: And there are, we have looked at a

couple of others in the town and the parking provided is again fairly minimal, I mean, as I'm sure you're aware the type of use is people pull up and it's not long term parking, they're there for a short period of time, they come in, they unload or load their car and move out. So historically the parking isn't an intense type of use, so we believe that parking that we're providing 12 spaces should be more than adequate to serve this facility.

MR. LUNDSTROM: May I interrupt? It says 12 spaces yet on our agenda it says 26 spaces.

MS. ZIMMERMAN: That's the variance.

MR. KRIEGER: He has 12, he needs--

MR. KANE: A variance of 26.

MR. LUNDSTROM: Okay.

MS. ZIMMERMAN: Again, as far as the lot width I discussed that previously that the lot was created in that configuration and there really isn't anything that can be done about that, it's a pre-existing condition. And again it's a minor variance being requested there, 8 feet I believe it is.

MR. KANE: Going on the outside you have 22 storage spaces, 14 storage spaces?

MS. ZIMMERMAN: Yes.

MR. KANE: Can you address that?

MS. ZIMMERMAN: Those would be intended to be outside storage, people would look to rent those spaces for like a trailer or for their boat.

MR. KANE: Not so much concerned with that. My concern

then lies with illumination, how much lighting are you going to have outside? I don't mind the self-storage over here, I'm more concerned with the home to the right if you're looking at your property.

MS. ZIMMERMAN: On our third sheet of the plan I show a landscape and lighting plan and what we're proposing there is we're showing lights to be placed on the building itself which would illuminate both sides and the rear of the building as well as the front additionally we're proposing two light poles to be placed in the front where the parking is shown in the front and we are proposing lighting on those two poles. Essentially, there will be two lights on each pole and the dash line that's kind of that wavy configuration is the isolux curve to show how that illumination would take place. And what we're also proposing for the property owner to the south the individual house that you had mentioned we're proposing landscaping along that line which is also shown on the plan and we're proposing to place eight foot high Doug fir trees in that location along that line to screen this property from the residential property.

MR. KANE: Basically we're looking at really shouldn't have an affect on their home, they shouldn't be living in the middle of Broadway.

MR. SABINI: Of course trying to put the buffer in.

MS. ZIMMERMAN: So we have provided that.

MR. KANE: What about hours of operation?

MR. SABINI: I don't really need 24-7, you know, like--

MR. KANE: That's going to be more planning board, your intent is not to go 24-7?

MR. SABINI: I don't really need it, the other type of

storage, the one where they're all open, that one you do. This is more like an office building so it's like 6 a.m. to say 9 p.m.

MR. KANE: Trying to ask some questions I think would come up in the public portion of the hearing cause I think that's exactly where we're going to go the hours of operation and the lighting.

MS. ZIMMERMAN: You might have some people that come in that have a business and they'll have a code to come in but I wouldn't want it 24.

MR. BABCOCK: Mr. Chairman, just to add a little bit of this application, this lot was created in 12/3/02 by the planning board and approved by the planning board so at that time apparently it met the zoning. The zoning has changed over the years, I don't have that information with me but I'm assuming that's the problem so that would create the lot areas and the lot width problem that he has.

MR. KANE: The lot width I think is minimum, we're right there.

MR. BABCOCK: Also the lot area.

MR. KANE: Gross lot area is the big kick.

MR. BABCOCK: Except he doesn't have any room to expand so that's the problem and it was created in 2002, I don't know if you want any information from 2002 or not.

MR. KANE: I don't see it as a bad use of the property personally, especially since you already have a self-storage going on right over there. My concern is distance off the property line and just not, you know, invading the space of that home owner over there with too many evening lights and that kind of stuff.

MR. BABCOCK: Just for the record also I'd like to clarify a couple things when he was at the zoning board the applicant was at the zoning board they had actually talked about proposing a 48,000 square foot building.

MR. KANE: Planning board.

MR. BABCOCK: Did I say zoning board? Excuse me, sorry. They had proposed a 48,000 square foot building with three stories, the planning board told them to make all the changes that are necessary so they came here and got one variance altogether, the building is now four stories at 64,000 square foot so the minutes won't reflect the same.

MS. GANN: What color were you planning on making the building?

MR. SABINI: Some type of earth tone colors. Did you ever see the ones like in New Jersey? They have, it's a high-rise building and you'll see the corners are glass and you just see the certain like garage doors, maybe 10 all the way up and the rest of the sides will be all earth tone colors, it's not going to be fluorescent yellow, you know.

MS. MASON: They're always orange.

MR. SABINI: It's not going to be rude orange, you know.

MR. KRIEGER: Like highway safety orange.

MR. SABINI: Right. I think that went out in the '80s.

MR. KANE: We have pictures. Any further questions from the board?

MR. LUNDSTROM: I think there's something similar to

that here on 32, not four stories high but--

MR. KANE: Yes.

MS. ZIMMERMAN: Very similar to that, yeah, Guardian's, yes.

MR. BABCOCK: Actually, I think it's going to be the same construction people, right?

MR. SABINI: Yeah, pretty much.

MR. BABCOCK: They're involved at least same people.

MR. KANE: Any further questions? It's a fairly flat piece of property, you don't foresee any drainage problems?

MS. ZIMMERMAN: We don't, I mean, the intention there is to drain to the back of the property and the town planning board will require a storm water detention and we'll provide that.

MR. KRIEGER: This application if it were granted they'd have to go back to the planning board, correct?

MR. BABCOCK: That's correct.

MR. KANE: No further questions, I'll accept a motion.

MR. LUNDSTROM: Mr. Chair, I will offer a motion that the application for Jerry's Self-Storage as presented in the agenda be approved and allowed to proceed to public hearing.

MS. GANN: Second the motion.

ROLL CALL

MR. LUNDSTROM AYE

MS. LOCEY AYE
MS. GANN AYE
MR. KANE AYE

MR. KANE: You're all set.

MS. ZIMMERMAN: Thank you.

MR. SABINI: Thank you very much.

MR. KANE: Well see you at the public hearing. Again, those are the type of questions you're going to hear about, the lighting and that, I don't see anything else as a problem.

MR. KRIEGER: Very often even though technically speaking they're planning board questions oftentimes and it's the practice of the planning board when they come to decide whether or not to exercise discretionary thinking as to whether there will be a public hearing a lot of times they say the first thing they ask is well, is there a public hearing at the zoning board, what was the outcome? There was a time I used to be able to answer that question, presumably Mike answers that question now.

MR. SABINI: So we have a public hearing here at the ZBA?

MR. KANE: Usually we do two hearings, basically there's preliminary so we can get an idea of what you want to do and if there's something we need we can tell you so that you can bring it. In other towns, you walk in cold, if you don't have it they make a vote right there, you lose, so it's a two step process but it really works out kind of nice because we cover a lot of bases.

MR. BABCOCK: You didn't just get approval.

MR. SABINI: I understand.

MR. BABCOCK: You got set up for a public hearing.

MR. KANE: It's going to be the same thing basically the same questions but if any of your neighbors or anybody within 500 feet or whatever it is wants to come and ask questions then they can at that point.

MR. SABINI: Say the public hearing goes okay, right, then we go back to the planning board, do I have to have a public hearing at the planning board too?

MR. BABCOCK: Possibly, it's their discretion.

MR. KRIEGER: Yeah, that's their bailiwick, you have to by law have and this is state law have a public hearing here.

MR. KANE: We have to, they don't have to by law so but I think they generally do.

MR. BABCOCK: If there's a lot of questions about the drainage they probably will have one.

MR. SABINI: That's understandable.

MS. MASON: That's only adjoining property owners, it's not 500 foot radius.

MR. BABCOCK: Like when you say, Mike, something that we can't really deal with to the public because it's a planning board issue, not a zoning board issue, the planning board reads the minutes, they're going to say so that's all up in the air too.

MR. KANE: Cause a lot of people think we're the answer to every question they have and a lot of it we don't cover so that's where the planning board will pick it up at a meeting.

January 22, 2007

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MR. SABINI: Thank you.

MR. KANE: Motion to adjourn?

MS. LOCEY: So moved.

MR. LUNDSTROM: Second it.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MS. GANN	AYE
MR. KANE	AYE

Respectfully Submitted By:

Frances Roth
Stenographer